


DIRECTOR OF CENTRAL INTELLIGENCE
Security Committee

SECOM-161

13 June 1985

MEMORANDUM FOR: Chief, Legislation Branch/OLL

FROM:


Chairman

SUBJECT: H.R. 1082 - Treasury Draft Report

Re the Treasury draft report on the Stump Bill:

Title IV - If I understand the Espionage Act at all, the first sentence in Treasury's comment on Title IV is quite inaccurate. The remainder of the discussion on Title IV seems to be argument for the sake of argument - no matter how tight or loose classification standards may be, it is doubtful the government could secure a conviction for revealing information that proves not to be properly classified. Further, it seems reasonable to assume the court would impose penalties commensurate with the gravity of the offense. The concept of a lesser penalty for revealing improperly classified information is ludicrous. If a test of classification is needed, "Properly classified pursuant to applicable statute or Executive Order," should be sufficient.

Title V - The Treasury argument is too long and unlikely to do more than irritate the bill's sponsor, who is trying to assist with a serious security problem. The comments on NSDD-84 could easily boomerang, and are better left unstated. Title V provides an opportunity to counter the Brooks Bill, which would hamstring security. Treasury would make its point better if it would suggest additional areas where polygraph use would be appropriate, without the labored examples. The most valid point in the paper is "that it would be preferable to restrict usage by the sensitivity of the information and not by the agency involved."